

Daily Eagle

M. M. MURDOCK, Editor.

Who Is to Rule Our Kansas Roost?

This question is now, also, up to the people of Kansas. Their law organizing the court of visitation was knocked out last Saturday, and with it the court itself, a law which cost much, and a court of which much was expected. It was knocked out by the supreme court of the state of Kansas, upon a showing made by hired railway attorneys. The Eagle, on Friday, announced what the court's decision would be, twenty-four hours before it was delivered. We went further and stated that two of the judges would stand for one thing, and the third judge for the other. They stood. The decision of the court was forecast by correspondence attorneys even before the bill, which became a supposed law, was signed. It was knocked out on a constitutional quibble. The aforesaid attorneys so announced that it would be. The majority of the court declares it unconstitutional. Having failed to find any clause in the state constitution with which the law conflicted they fell back on the constitution of the United States. If they had found nothing in the constitution of the United States upon which to hinge their fatal objection they would have fallen back on the unwritten constitution of some effete monarchy, or upon the common laws of England. This visitation court, having both reach and fetch was prejudged and doomed before the law erecting it could be authoritatively published. Neither one of the judges told us this, but more than one railroad attorney did. Its unconstitutionality is said to consist in the fact that the law confers on an identical board or commission, executive, legislative and judicial powers. The men composing the supreme court of the state of Kansas, who say this, have no more common sense than the average citizen, and they know no more law than the average lawyer. They simply beat the people by a quibble, as did the supreme court of the United States beat the people in their decision on the income tax law. All this talk about judicial, executive, and legislative powers is but dust for the eyes of the people, but the ink of the cuttlefish that makes the water murky. Every county in Kansas is governed by a board of commissioners which county commissioners are clothed with and do exercise executive, judicial and legislative prerogatives. So, in a minor degree, does every board of township trustees, succinctly and identically.

It was formerly held and believed that the government founded by Washington, and later preserved by Lincoln, was a government for, and a government by the people. Later it became to be recognized as a government of political classes for the people. At last it is resolving itself into a government by judges of the supreme courts. This might work no hardship if the supreme courts would lean less to wealth and more to the commonality, less to the corporation and more to the side of the masses. The will of the people, whether expressed through legislative or congressional enactments, is so regularly annulled on constitutional quibbles that the people have begun to question the wisdom of written constitutions. England has no written constitution, and no English court is ever found knocking out any enactment of parliament. While it is true that the people are superior to and greater than constitutions, still supreme courts by an instrument ordained by the people, rise superior to both the people and their fundamental laws. The Federal constitution nor any state constitution, so far as we are able to find, empowers courts to annul laws enacted by the representatives of the people. These courts by precedents and decisions piled mountain high, and by ever encroaching usages have arrogated an authority superior to the people, and superior to the will of the people, as expressed in law. Congress itself, the highest legislative authority in the land, has been found hesitating lately over the enacting of necessary laws for our new possessions until the supreme court could be heard from. These courts, state and Federal, having in any given case satisfactory, by construing the constitution, find the matters of sailing over the heads and of thwarting the expressed will of the people very simple things.

It can not be charged that we are sore over the knocking out of this particular Pop conception, this court of visitation. It was however the only thing of the kind ever gotten up by the state with authority to enforce its own mandates. No state board of railroad commissioners can amount to as much as a last year's bird's nest, unless voiced with authority to make good their findings. The locating of a fester is only a necessary preliminary to the after probing. The old board of state railway commissioners found lots of discriminations and wrongs and robberies, but as they had no power to right the wrongs the people were left feeling more sore and more outraged than if the wrongs had never been exposed. The old board made an order, a just and equitable order, on coal and timber rates for Wichita. A United States circuit judge notified the receivers of the Santa Fe to pay no attention to what the Kansas board of railroad commissioners had ordered, which, of course let the other roads out. The state is better off without any railroad commissioners, to the extent at least of their expenses and salaries, unless such commissioners are empowered to right wrongs whenever they find them, and that never can be done until we have a constitution which will knock the "fundamental" wind business out of the assumptions of these supreme judges, who have become the whole thing.

As to National Committeeman.

Having disposed of Cy Leland that which is exercising the directors of the political make-up is the choice of a proper man for national committeeman for the state. The Burton forces are eager to try to organize the state convention. If they succeed they will name the national committeeman of course. If they fail, or if a compromise results it might be hard to guess who the man will be. A Topeka correspondent of the Kansas City Journal sums up the situation as it stood as late as Tuesday evening by saying that the latest name mentioned in connection with the position of Republican national committeeman of Kansas is Judge L. S. Crum, of Lebo. He is regarded as one who would be acceptable to both sides. He has always been a warm personal friend of Leland and is one of Burton's strongest supporters in the state. Charles Cox of Chanute is another for the party that M. A. Low has given out a final statement to his friends to the effect that he will not ask nor take the position. Cox says the Burton men will support Dave Stulz. The friends of Ed Jewett of Wichita are pressing his

candidacy for national committeeman. The claims made for Jewett are that he is not closely identified with either side, is a man of good political judgment and in his selection neither side could crow over a victory nor sulk in defeat.

Topeka Gone Convention Crazy.

Conventions have been called at Topeka for every conceivable thing, this spring, and for the summer, so at least we had concluded. There seemed nothing left in the way of party or politics, in the lines of beneficiary, social or professional societies for which an early convention at Topeka had not been called. There being nothing else in sight they betthought themselves of the postmasters, a class of officials whose especial business it is to stay at home, the regulations of the department going so far as to prohibit them from leaving home except by special permit. What postmasters can do for themselves, for the service or for the people more than the regulations already provide by getting together at Topeka we can't conceive. But a call has been promulgated for a convention and organization. After the meeting of the postmasters, which is fixed for the 22nd instant, we believe, it looked as if the Topeka hotels were to be left to their own devices. But not so. That town's inherent genius for conventions still stands pat. Saturday brought a call for a convention of all the commercial clubs and boards of trades of Kansas to meet in Topeka for the purpose of furthering the financial interests of the state.

The Crop Prospects in Kansas.

One of the most observant and successful farmers in Southern Kansas, and largely successful because observant, says that Kansas is doomed for a big corn crop this season, a crop that may tend to keep down its price. Corn and hogs will be in evidence next fall and with present prices so will bank balances. A dispatch to the Kansas City Journal, probably inspired by the secretary of the state board of agriculture, says that if existing crop conditions pan out as they promise Kansas will this year smash all records. The wheat prospect could scarcely be better, excellent even that of May, 1892. The acreage is equal to that of last year, and the western half of the state is one vast field. The farmers this year have no insects to contend with, as has been the case in most years past, the heavy spring rains having practically exterminated all pests which prey on small grains. In the large wheat raising counties of McPherson, Rice, Barton, Sedgewick and Sumner, the eye meets nothing but the green of the enormous fields; the straw is heavy, and with one month more of favorable weather the largest yield ever known will be harvested. Farmers everywhere declare this has been an ideal season for the wheat raiser and are correspondingly jubilant.

The preparations for corn this year are well under way. Planting is nearly done throughout the state, and a large acreage is in. In the southern tier of counties cultivating has already commenced, with a good stand in sight.

Secretary Barnes of the State Horticultural society, is touring the state, and his report of the condition of the fruit crop is assuring. The apple yield, he says, promises to be the largest ever known in the history of the society. The peach crop will be beautiful, and much larger than in late years. Grapes promise much at the present time and a full yield will probably result. Small fruits promise the same abundant yield as heretofore.

In western Kansas, the great alfalfa and cattle growing section, the spring rains have been very heavy, and the first crop of alfalfa is now being harvested. The live stock interests are elated over the prospects, as the native grasses are striving to outgrow the cultivated ones. The outlook for a successful year is good, and ranchmen are increasing their herds.

The railroads are busy making arrangements to profit by such an unusual crop condition, and their transporting capacity is likely to be taxed to the limit. Farm machinery men are met everywhere and are as busy as the farmers. They report and unprecedented demand for their line of goods, and thus Kansas shares her good fortune with the less fortunate states in the east. Kansas again this year threatens to startle the world by her enormous crops and prove that the state is the golden spot of this mundane sphere.

The Substantial Bottom to Wichita's Boom.

The editor of the "American Investments," which journal is recognized east and west as the most comprehensive and reliable financial publication in the country, in the last issue says: "A man from Wichita, Kansas, sat in our editorial chair one day last month and narrowly escaped being taken from that pore-opening spot to the insane asylum. He had deliberately and willfully declared that Wichita was nursing an impetuous boom, and while the child was sucking away at the bottle of prosperity, it was smiling and kicking in a very vigorous manner as much as to say, 'what a delightful moustache I am getting.' We have found his statement to be entirely correct. Conditions are very much improved here, and whilst there is a determination to squelch any appearance of a boom, it is difficult to call the new movement anything else than a real genuine boom having the requisite substantial bottom. The improvement is entirely legitimate and the astonishing statement is made that the demand for renters is so heavy that several hundred new houses ought to be built at once, as they can 'clean up' a 10 per cent profit. There seems to be plenty of cash and labor here and the fine geographical location of the city ought to and does justify the opinion that a first-class city can and will grow out of the much abused Wichita. It is not improbable that the people that made great sacrifices of their mortgages and real estate will regret their anxiety to get out at any cost. So it goes."

Lewis Hoen of Indianapolis, to please the woman he loved, had his bowlegs straightened. He is now an inch taller than before, and as he is moderately rich and not in circumstances, the girl will marry him.

It takes a genius to think out a new bunco game. But a man in New York has done it. He writes a telegram, marks it "collect," delivers it to the victim, and collects the change.

There is all kinds of politics in the visit of the Boer commissioners to this country. The Republican politicians will jerk them one way, and the Democratic politicians the other way.

John R. McLean of Ohio intended to attend the Kansas City convention but he has changed his mind. He might be the only man there to vote for his brother-in-law.

So far as being dilatory is concerned our slowness in issuing that ultimatum is equal to what the slowness of the Sultan will be after he gets it.

A scientist of the Smithsonian Institution announces that there are forty species of frogs in this country. This will interest vocalists.

It is not believed that the extreme heat of Luzon does cause in many of our soldiers a mild form of lunacy.

Corbett and Jeffries will meet in a few days. The time of Mr. Corbett's funeral will be announced from the ring.

General Otis has started home. He would have come long ago but the yellow journals were demanding it.

Just as present Oklahoma bids fair to be the land of the free and the true home of the brave.

Apparently Lord Roberts likes Bloemfontein a good deal more than he expected to.

A Woman's Way.

"You are a clever man and a wit, Sir Giles." And she looked at me from under her long lashes. I bowed low. True, I was not aware of it before, but then I was never one of my besetting sins. A soldier has more to think of than the cut of his coat or of his boots. "You have come for your reward," she said, and I bowed low. "I waited an explanation of her speech," I replied, I slowly. "She drew nearer and her face flushed pink and white like the May blossoms on a spring morning."

"There is but one reward I could accept," I replied, I slowly. "She drew nearer and her face flushed pink and white like the May blossoms on a spring morning."

"I shook my head. I wrote not a woman's name like a head for not so named my loves with all the sweetness of the Orient."

"Don't remember," continued she, "my reply to a certain question of time, that when you wrote a sonnet or turned a set of verses as neatly as the king's poet himself, then I would answer your question, as you did wish? I have here the sonnet and with the laurel wreath. Art content, Sir Knight?"

"With a great fear in my heart I snatched from her the letter, and opening it, read with rage and despair the dirty verses therein, which compared her to Venus for beauty, to Minerva in wisdom, and to Helen of Troy for the havoc she worked among the hearts of men. As I looked on the words, my brain buzzed so that I could hardly grasp the meaning of the words. Then I should surely lose her. If I told her not, I should keep her, but I lost mine honor; my sword would be a disgrace to me and the bones of my ancestors would turn in their graves."

I lifted my head proudly and looked in the face. She started back as my eyes met hers and I said, "I am not a soldier and a gentleman, I might perhaps be tempted to claim these verses as mine own. Now I give thee back thy word, worth but little, for none shall say to Giles de Bohun that he sold his honor for a set of rhymes and forfeited his right to a stainless name for a woman."

I bowed low and moved toward the door. My lady could not see me, and against the dark red curtain which covered the window, I opened the door slowly, thinking she would call me. When once I reached the stairs it would be too late, for though I would do my best to win my love, still I was not the man that loves to be scorned.

With my heart broken, my future a blank, and my faith in woman destroyed forever, I passed through the door and closed it after me. Suddenly I heard a rushing sound, the door behind me was flung open, and my lady stood on the threshold, her hand in the air, a gleam in her eyes and a flush on her cheek.

"Perhaps," she said gently, but oh, so proudly, "perhaps Sir Giles de Bohun will not refuse a woman who would rather be the wife of a brave man than the bride of the greatest wit in the land, or the lordliest cavalier in the court of the king?"

True to the Last.

(From the New York Life.) "The time has come for me to speak," he said, going over to the mantelpiece, and leaning his head abstractedly against the cold, hard brick. "My dear, before we are married, and while there is yet time, let me tell you the truth about myself. I have deceived you. I am not the noble-hearted, unselfish, refined and altogether desirable man you have been led to believe. I have deceived you even about my age. Not only am I 46, instead of 37, but I am a widower. I stay out nights when I feel like it. I smoke all over the house, and I am even cranky about my fault all the time, better the servants, never go anywhere to oblige anyone else, drink more than I ought to, swear regularly, and in fact, am a vulgar, dishonest, greedy, ungrateful, inhospitable, irritable, inconsiderate, insufferable nuisance."

"Tell me," said the fair creature he addressed, "you even about my age. Not only am I 46, instead of 37, but I am a widower. I stay out nights when I feel like it. I smoke all over the house, and I am even cranky about my fault all the time, better the servants, never go anywhere to oblige anyone else, drink more than I ought to, swear regularly, and in fact, am a vulgar, dishonest, greedy, ungrateful, inhospitable, irritable, inconsiderate, insufferable nuisance."

"And the beautiful government bonds you asked me to look at, the 30 shares of D. A. B., the 200 X. Y. Z., the 400 U. P. W. debentures, and four acres in the heart of the Manhattan shopping district are all yours, aren't they?" "They are, dearest."

"Then," said the undimmed and still radiant creature by his side, "my darling, with all your faults I love you still."

An Old Friend New-Found.

A somewhat crusty old chap of our acquaintance had boarded for some time with a widow whose garrulous and despondent nature was a constant source of annoyance. Learning one day through a breakfast table hint that her birthday was at hand he determined that he would like to be in and see her. He was in a measure relieved by the thought of it, and he went to a friend about it, the latter suggested "Widow Beddell," as the very prototype of a lady acquaintance, and advised a copy of the book for her. He gratefully accepted the idea, and visiting a neighboring city entered a book store to secure the coveted volume. Approaching the counter where a clerk awaited him he at once started in with: "Have you—have you—" and then came to a dead stop.

The experienced clerk appreciated the fact that he had forgotten the name of his intended purchase, and said nothing.

An embarrassing silence of some moments followed, when a smile of relief irradiated the visitor's face, and unconsciously prompted by his propitius, he continued exclaiming: "I have a copy of a book entitled 'The Widow Beddell'."

A Mystery Cleared Up.

(From the Detroit Free Press.) She—I wonder why Eve was not created before Adam?

He—The reason for that is plain enough. The Lord knew if he made woman first, she might get a man to wait for her, as well as get a fish.

Surprise All Around.

Dashaway—You say your sister will be home in a minute. Will she be good now? I didn't know but what she was to be excused, as she did the other day.

Willie—Not this time. I played a trick on her.

Dashaway—What did you do?

Willie—Triumphantly I said you were another fellow.

If anarchists would go to prayer meeting instead of the grocers they would live longer.

Outlines of Oklahoma.

The only man who croaked against free homes in the house was a Democrat.

Governor Barnes' term as governor expires May 12, 1901.

The colored people near Strand have a log church and school house.

The passage of the free homes measure brought out those cuts of Dennis by the bushel.

Billy Walker has become a capitalist. He has purchased the waterworks bonds of Stillwater.

The Republicans of Canadian county also want Dennis Flynn to head the Philadelphia delegation.

Mrs. Cannon, the widow of the late leader of the Rough Riders, has gone to the Philippines to serve as a nurse.

Mrs. Frank Greer of Guthrie has been appointed by Governor Barnes a woman member of the Pan-American exposition, at Buffalo.

There was much confusion during the free homes bill discussion in the house and the chairman had to call for order several times.

The Enid Wave had the startling announcement the other day that Crease had been shot dead at St. Helena for crossing the delegation.

Whether Dennis Flynn will attend the Enid convention Thursday depends on how far up towards the top that free homes bill is on the senate calendar.

Miss Parker of Kingfisher lost second place in the oratorical contest at Guthrie by a low marking made by Eugene Ware on the merit of her thought and composition.

Some of the farmers near Strand, according to the Messenger, are giving their horses to eat, cottonwood branches, claiming that the branches are good for their digestion.

At Vinita there is a room which is literally covered inside with ink stains. Years ago two members of a jury got into a fight and threw ink bottles in the room at each other.

It is claimed that a widow has fallen in love with Lulu Gray, a man in the Oklahoma City jail who has been sentenced to the penitentiary, and that she may insist on marrying him.

Stratford Messenger speaks of one Dave Avery, an Indian who has a penchant for proposing marriage to white girls. The paper notices him to quit it in the interest of his health.

Some men are always restless. They are men who have been in Kansas in 1890; who went into Colorado later; later into Oklahoma, then into the Cheyenne and Arapaho counties when it opened; then to the Birds. They are now packing up preparatory to finding a home in the Creek country.

A new kind of fake is being used extensively in this part of the country. Some low-down cuss starts a story that three or four months ago two young people were secretly married. They are probably not even engaged. Enid has recently had a bunch of fakes. The instigator of the report should be hunted out and thumped.

Enid Wave: Last night burglars broke into Gus Gunnerson's store at Riverton and stole about a hundred pairs of shoes. Sheriff Porter's posse of deputy sheriffs are on the track of the robbers. Stroud Messenger: Chivallah, the Kiowa Indian lotus-eater, has been in the very common in the many ponds on lower Deep Fork, has been gathered in large quantities by the industrious Saukwa squaws this spring. They eat the bulbs raw or cooked, and dry lots of the seamy roots for consumption next fall and winter. The Chivallah, alias dog-cabbage seeds, are hunted and relished by the parkers, and are gathered and eaten by many white settlers of the lower Deep Fork.

Along the Kansas Nile.

August F. Jaccard, one of the owners of McClure's Magazine, visited W. A. White in Emporia last week.

Just now the Populists and Democrats of the district have too many candidates for congress per capita.

The anti-Leland men are noising around the state for a man to run for state printer next winter against W. Y. Morgan.

The Lawrence World is of the opinion that if Aguilander is really dead, he will prove it by attempting to collect his life insurance.

Grant Gillette, once the millionaire cattlemen of Kansas, is now, together with his wife, running a millinery shop in Chihuahua, Mexico.

The silence Cy Leland keeps while the other fellows are plunging harpoons into him to make him feel "touchy" amounts almost to genius.

It is thought by many that the abolition of the Court of Visitation will make the state issue in Kansas this year the transportation question.

It is understood that Governor Stanley will not pardon Pool Grinstead, the Populist anti-Leland editor who is in jail for libel, but will commute his sentence.

President McKinley, it is reported, has caused to be known at Topeka that he would consider it a favor if Kansas' representation in the national committee is left unchanged.

Now both the railroad commission and the court of Visitation are abolished. But the next legislature, whether it be Populist or Republican, will provide something else.

This is a pointer from the Atchison Globe. "The state is ready to make a man who pays her some attention when younger women are present."

Example is everything. Miss Vining last year was in the crowd at the depot at Emporia when Pinstan went through, Vining enlisted at once and is now a soldier in the Philippines.

Ed Howe is straggled in Ireland. He is on his way to the west end of Asgard, and is asking all the way over to Ireland, and having reached land he declares he will never leave it again, not even to return to Atchison.

Atchison's "Woman in black" moved to Emporia and the stupid police there who do not realize that every community must have its occasional mystery just as a man must have salt, went out and caught her.

A tablet has been unearthed at Babylon on which an ancient king says: "I am the mighty king, the great king, king of the world, king of Assyria, king of the four ends of the earth, the king of kings." In other words, he was a Topeka Republican.

For eighteen years G. W. Clark of Atchison and his wife, J. W. Clark, have lived under the same roof, but being in opposing factions in the Democratic party, for eighteen years it has been an unwritten law that neither shall not be mentioned in the family.

In speaking of James Harris, the cattle county murderer who was born and raised in Kansas, Will White of Emporia says: "That the community which let him stay out of school, that permitted him to grow up a delinquent, will have to pay for his crime in court fees and jail charges." The community will have to pay for it. It is much more serious than that.

Alfonsa Chronicle: J. P. Sullivan, a farmer living near Sedalia, was in Sedalia yesterday with a horse that has a photograph of a woman in its right eye.

The horse was owned by Mr. Sullivan, but the picture was never discovered by him until recently. The woman's head and bust is all that is shown. The form is solid black, except the face, which is white. On the head is a large bun with feathers and ribbons plainly shown. The horse attracted a large number of persons. It was bought by Dr. R. A. Harker, the sedentary surgeon, for \$60. He will exhibit it, the price of admission being 50 cents.

It is noted that if your audience get a lot they will call again—N. Y. Weekly.

Geo. Innes & Co.

May Bargains

Extraordinary inducements throughout the house. New, clean merchandise, fresh from the looms, at prices that appeal to the most economical buyer. Visit the great trading place, note the price cards that tell the tale of price cutting.

Special Today

Fifty pieces Drap Leontine, a beautiful printed sheer fabric, just the thing for the summer months. Real value, 12 1-2c; choose while they last, at 8 1-3c.

Soap Sale Thursday

Peet Bros.' pure Buttermilk Toilet Soap (3 cakes in box). The usual price is 15c per box; in our May Sale Thursday you can buy it at 7c per box. Not more than five boxes to one customer.

Friday Is Remnant Day

Friday, May 11th, we will place on sale all short lengths and odds and ends, the accumulation of the past three months' brisk trading. They have been marked regardless of cost. The prices placed on them will clear the lot out in one day.

Mid-Summer Opening

Thursday, Friday and Saturday we will have a mid-summer opening of Millinery, to which you are invited. This will be a great attraction for the summer-girl. May sale prices (very low prices) will prevail.

Boston Store

The Flower Sale

Will be held upstairs, as the rush at the Fire Sale

Is too great for us to accommodate both crowds on the ground floor. Take center stairway in front, from sidewalk, or back stairway inside the store. The Fire Sale bargains will be on sale from the opening of the store, but the Flower Sale will not commence until 9 a. m. The Flowers are all silk, rubber stem and best French importations. Many of them worth up to \$1.50 to \$2 per bunch. None worth less than \$1 per bunch. Your choice this morning.

Per Bunch, 25 cents

Salvage Sale Prices

...Today...

Watch the crowds of satisfied shoppers. Watch the bundles of merchandise leave the store. Watch the Boston Store do business while others are comparatively idle. Come today.

Percales

Ten thousand yards of light colored Percale 4 1/2 mill length. Wet and wrinkled with water. Reliable fast colors and good 12 1/2c value. During this sale

Percales

Five thousand yards of dark colored Percales in the stripes and figures of this season. Per yard

Linings

50 yards of Ribonette Linings, slightly soiled; worth 30c per yard for

Percales

100 yards of yard wide sheer Linings, considerably rumpled, worth 12 1/2c per yard, at

Percales

24 bolts of bookfold Percales; light and dark shades, soaked in soda water and slightly wrinkled from water. Regular

Dress Wash Stuffs

100 yards of Pacific wash stuffs in sepioid folds, dark colors, 27 inches wide, worth 15c for

Dress Goods

Notice these and buy now. These are cut prices from our regular stock to harmonize with some Fire Sale prices.

Apron Gingham

200 yards of apron check Gingham in small checks. Soiled on edge. Ordinary 3c

Books of Romance

20 of them. Stories by standard authors of ancient and modern times. Cloth bound and worth 50c. Choose

Percales

20 bolts of plain colored French Flannele at the phenomenal price of the

Apron Gingham

200 yards of apron check Gingham in small checks. Soiled on edge. Ordinary 3c

Books of Romance

20 of them. Stories by standard authors of ancient and modern times. Cloth bound and worth 50c. Choose

Percales

20 bolts of plain colored French Flannele at the phenomenal price of the

Silks

These silk pieces are cut in harmony with the Fire Sale goods. A rare chance in this to buy silks at less than factory prices.

50 pieces of French fancy figured Taffetas in stripes and brocades. A general cleaning up of all fancy silks that sold earlier at \$10 to \$11 per yard. Choose now

Remnant Linings